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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,239	07/01/2003	Eric Kuo	018563-006700US	3324

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EXAMINER

WILSON, JOHN J

ART UNIT	PAPER NUMBER
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3732

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10612239

EXAMINER

ART UNIT

PAPER

20060630

DATE MAILED:

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Commissioner for Patents

The reply filed on May 25, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has failed to respond to the rejections of claims 5, 6 and 10-13. From applicant's remarks, it appears that applicant did not have page 3 of the Office Action mailed January 25, 2006, and as such, did not have the rejections. Because applicant did not timely notify the Office of claims not being acted on and because applicant filed an amendment, the Office Action will not be remailed and a new three month time period will not be set. Instead the submitted amendment is considered to be a bona fide attempt to respond to the Office Action but not fully responsive and a one month time period is set to correct the amendment. A copy of page 3 of the Office Action is attached. See 37 CFR 1.111.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

ATTACHMENTS:

☒ Copy of page 3 of the Office Action mailed January 25, 2006.


John J. Wilson
Primary Examiner

Application/Control Number: 10/612,239
Art Unit: 3732

Page 3

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chishti et al (5975893) in view of Wong et al (6206695) as applied to claim 2 above, and further in view of Rohlcke et al (5326259). The above combination does not show using a notch as indicia. Rohlcke teaches that a notch may be used as an alternative indicia, column 1, lines 21-24. It would be obvious to one of ordinary skill in the art to modify the above combination to include a notch as shown by Rohlcke in order to make use of known alternative indicia.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chishti et al (5975893) in view of Wong et al (6206695) as applied to claim 1 above, and further in view of Martin (6884071). The above combination does not show using a bar code as indicia. Martin teaches that a bar code may be used as an alternative indicia, column 7, lines 24-27. It would be obvious to one of ordinary skill in the art to modify the above combination to include a bar code as shown by Martin in order to make use of known alternative indicia.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chishti et al (5975893) in view of Wong et al (6206695) and Martin (6884071) as applied to claim 10 above, and further in view of Morris et al (5923001). The above combination does not show using a radio frequency tag. Morris shows using radio frequency tags to identify items. It would be obvious to one of ordinary skill in the art to modify the above combination to include a radio frequency tag as shown by Morris in order to make use of known ways of using and reading indicia to best communicate the desired message.